

1
2
3
4
5
6
7
8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**
10 **OAKLAND DIVISION**

11 IN RE: CATHODE RAY TUBE (CRT)
12 ANTITRUST LITIGATION

Master File No. 07-CV-5944-JST

MDL No. 1917

13 This Document Relates to:

14 *ALL DIRECT PURCHASER ACTIONS*
15

**STIPULATION AND ~~PROPOSED~~ ORDER
RE: REVISED CLASS NOTICE AND
LITIGATION SCHEDULE**

Judge: Honorable Jon S. Tigar

1 Direct Purchaser Plaintiffs (“DPPs”) and Defendants Irico Group Corporation and Irico
 2 Display Devices Co., Ltd. (“Irico” or the “Irico Defendants,” collectively the “Parties”), by and
 3 through the undersigned counsel and pursuant to Rule 16(b)(4) of the Federal Rules of Civil
 4 Procedure and Civil Local Rules 6-2 and 7-12, hereby stipulate as follows:

5 WHEREAS, on August 1, 2022, the Court entered its Order Granting Motion for Class
 6 Certification in the Direct Purchaser Actions (ECF No. 6042) (“Class Certification Order”);

7 WHEREAS, Rule 23(c)(2)(B) requires “[f]or any class certified under Rule 23(b)(3) . . . the
 8 court must direct to class members the best notice that is practicable under the circumstances,
 9 including individual notice to all members who can be identified through reasonable effort”;

10 WHEREAS, on August 31, 2022, DPPs filed a Motion to Disseminate Notice of Direct
 11 Purchaser Class Certification (ECF No. 6067) which Irico opposed in part (ECF No. 6071);

12 WHEREAS, on December 8, 2022, the Court issued an Order Granting in Part and Denying
 13 in Part Motion to Disseminate Notice of Direct Purchaser Class Action Certification (ECF No.
 14 6116) (“Class Notice Order”) in which the Court “decline[d] to grant DPPs’ request to include in
 15 the class notice entities as to which no allegations have been made and about the inclusion of
 16 which the parties do not agree”;

17 WHEREAS, the Parties have met and conferred in accordance with the Class Notice Order;

18 WHEREAS, on October 26, 2022, the Court’s Order re Trial Scheduling (ECF No. 6100)
 19 adopted the Parties’ proposal to submit a joint (or competing) scheduling proposal for trial in the
 20 Direct Purchaser Actions within fifteen (15) days after the Court issues a decision on DPPs’
 21 Motion to Disseminate Notice of Direct Purchaser Class Certification; and

22 WHEREAS, the Parties’ joint (or competing) scheduling proposal will be informed by and
 23 depend upon the timing of the dissemination of the forms of notice submitted herewith for the
 24 Court’s approval;

25 IT IS HEREBY STIPULATED AND AGREED by and between counsel for DPPs and the
 26 Irico Defendants as follows:

27 1. Irico approves the form of the [Proposed] Order Approving Notice of Direct
 28 Purchaser Class Certification submitted herewith (“Proposed Order”) containing the Notice

(Attachment A thereto) and Summary Notice (Attachment B thereto) revised in accordance with the Class Notice Order.

2. Good cause exists to modify the deadline for the Parties to file their joint (or competing) scheduling proposal for trial in the Direct Purchaser Actions.

3. The December 23, 2022 deadline set by the Court's Order re Trial Scheduling (ECF No. 6100) for the Parties to file their joint (or competing) scheduling proposal is vacated.

4. The Parties shall submit a joint (or competing) scheduling proposal for trial in the Direct Purchaser Actions within fifteen (15) days after the entry of the Proposed Order, but no sooner than January 10, 2023, due to the upcoming holidays.

PURSUANT TO STIPULATION AND GOOD CAUSE APPEARING, IT IS SO ORDERED.

Dated: December 20, 2022


HONORABLE JON S. TIGAR
UNITED STATES DISTRICT JUDGE

1 Dated: December 19, 2022

2 /s/ R. Alexander Saveri

3 R. Alexander Saveri (173102)
4 Geoffrey C. Rushing (126910)
5 Matthew D. Heaphy (227224)
6 SAVERI & SAVERI, INC.
7 706 Sansome Street
8 San Francisco, CA 94111
9 Telephone: (415) 217-6810
10 Facsimile: (415) 217-6813
11 Email: rick@saveri.com
12 grushing@saveri.com
13 mheaphy@saveri.com

14 *Lead Counsel for Direct Purchaser Plaintiffs*

/s/ John M. Taladay

John M. Taladay (*pro hac vice*)
Evan J. Werbel (*pro hac vice*)
Thomas E. Carter (*pro hac vice*)
Andrew L. Lucarelli (*pro hac vice*)
BAKER BOTTS LLP
700 K Street, N.W.
Washington, D.C. 20001
(202) 639-7700
(202) 639-7890 (fax)
Email: john.taladay@bakerbotts.com
evan.werbel@bakerbotts.com
tom.carter@bakerbotts.com
drew.lucarelli@bakerbotts.com

*Attorneys for Defendants Irico Group Corp.
and Irico Display Devices Co., Ltd.*